REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

By this amendment, claims 1-12 have been amended, and new claims 13-22 have been added. Upon entry of this amendment, claims 1-22 will be pending.

Objections to Claims 4-5

In Section 2 of the Office Action, the Examiner has objected to the claims 4 and 5. As shown above, claims 4 and 5 have been amended. It is submitted that the amendments to claims 4 and 5 have obviated this objection, and so it is respectfully requested that this objection be withdrawn.

§102 Rejection of Claims 1-2, 4-5, 8-10, and 12

In Section 3 of the Office Action, the Examiner has rejected claims 1-2, 4-5, 8-10, and 12 under 35 U.S.C. §102(e) as being unpatentable over Logan et al. (U.S. Patent 5,732,216; hereinafter referred to as "Logan"). This rejection is respectfully traversed below.

As shown above, claim 1 has been amended and calls for:

> 1. (Currently Amended) A contents selection system in which a server transmits contents selection information for having a client select contents through a network, wherein
> said client including input information transmitting means for transmitting input speech information through said network to said server, and outputting means for receiving contents selection information from said server through said network and for outputting the received contents selection information;

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said server including prepared information storage means
for storing in each of two or more categories one or more pieces of
preparation information each pertinent to respective contents items,
contents selection information preparation means for preparing
contents selection information based on speech information
received from said client through said network and based on said
preparation information, and contents selection information
transmitting means for transmitting the contents selection
information prepared by said contents selection information
preparation means to said client over said network.

Accordingly, in one aspect of claim 1, the prepared information storage means of the server stores preparation information for each contents item in each of two or more categories. For example, if there are three categories and 10 contents items, the prepared information storage means stores preparation information for each contents item in each of the three categories, for a total of thirty pieces of preparation information. The server uses the received speech information and the preparation information for preparing contents selection information.

Considering the Examiner's rejection of claim 1 in Section 3 of the Office Action as applied to amended claim 1, it does not appear that the arguments presented by the Examiner in rejecting claim 1 over Logan in Section 3 of the Office Action address storing in each of two or more categories preparation information for each contents item as called for in amended claim 1. The Examiner states that Logan shows that a host file server stores and maintains a plurality of data files. However, the Examiner's argument does not appear to explain how Logan shows the relationship among and use of preparation information, categories, and contents items as called for in claim 1.

Accordingly, it does not appear that the Examiner has established how Logan, as referenced by the Examiner in rejecting claim 1, shows or suggests at least these aspects of amended claim 1, and so it is submitted that the Examiner has not established how Logan shows

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or suggests amended claim 1 as a whole. Claims 2-7 and 13-19 depend from claim 1, and it is also submitted that the Examiner has not established how Logan shows or suggests claims 2-7 and 13-19, through their dependence on claim 1. Similar arguments apply to claims 8, 10, and 12, and so to claims 9 and 20 that depend from claim 8, to claims 11 and 21 that depend from claim 10, and to claim 22 that depends from claim 12.

Regarding claim 4 specifically, as shown above claim 4 has been amended and calls for:

> 4. (Currently Amended) The contents selection system according to claim 1 wherein said prepared information storage means stores preparation information made up of speech information; and
> wherein said contents selection information preparation means calculates the similarity in one or more acoustic characteristic quantities for each contents item between said received speech information and the preparation information stored in said prepared information storage means in a first category for the contents item, and determines the number of contents items for which the calculated value of similarity has exceeded a pre-set threshold value;
> wherein if said determined number of contents items is not less than a pre-set number, said contents selection information preparation means acquires speech information different from the first-stated speech information to repeat the similarity calculation thereon with respect to each said preparation information stored in said prepared information storage means in a second category; and
> wherein if said determined number of contents items is less than said pre-set number, said contents selection information preparation means prepares the contents selection information for each of said contents items for which the similarity value has exceeded said pre-set threshold value.

Accordingly, in one aspect of claim 4, the contents selection information preparation means calculates for each contents item the similarity (a similarity value) between the received speech information and the preparation information in the first category corresponding to that contents item. Hence, the contents selection information preparation means uses preparation information from the first category for each contents item. If the number of contents items with

calculated similarity values above a threshold is not less than a pre-set number, the contents

selection information preparation means calculates another similarity value for each contents

item. For each contents item, the second similarity value is calculated between new received

speech information and the preparation information in the second category corresponding to that

contents item. Therefore, the contents selection information preparation means calculates second

similarity values using preparation information from a second category if calculating first

similarity values using preparation information from a first category did not provide the proper

number of contents items with first similarity values exceeding a threshold.

Considering the Examiner's rejection of claim 4 in Section 3 of the Office Action as

applied to amended claim 4, it does not appear that the arguments presented by the Examiner in

rejecting claim 4 over Logan in Section 3 of the Office Action address calculating second values

using a second category if calculating first values using a first category did not meet a required

number, as called for in claim 4. The Examiner's arguments appear to address using levels, but

it does not appear that the Examiner has explained how Logan shows the sequence of

calculations and conditions called for in claim 4.

Accordingly, it does not appear that the Examiner has established how Logan, as

referenced by the Examiner in rejecting claim 4, shows or suggests at least these aspects of

amended claim 4, and so it is submitted that the Examiner has not established how Logan shows

or suggests amended claim 4 as a whole. Claims 14-16 depend from claim 4, and it is also

submitted that the Examiner has not established how Logan shows or suggests claims 14-16

through their dependence on claim 4. In addition, a similar argument to that described above for

claim 4 applies to claims 15-16 with respect to calculating a third similarity value using a third

category.

Regarding claim 5 specifically, as shown above claim 5 has been amended and calls for:

> 5. (Currently Amended) The contents selection system according to claim 1 wherein said contents selection information preparation means calculates the similarity in one or more acoustic characteristic quantities for each contents item between said speech information and the preparation information stored in said prepared information storage means in a first category for the contents item, and determines the number of contents items for which the calculated value of similarity has exceeded a pre-set threshold value;
>
> wherein if said determined number of contents items is not less than a pre-set number, said contents selection information preparation means calculates variations from one category to another among the other categories of said preparation information to prepare the contents selection information based on the preparation information of the category having the maximum variations; and
>
> wherein if said determined number of contents items is less than a pre-set number, said contents selection information preparation means prepares the contents selection information for each of said contents items for which the calculated value of similarity has exceeded said pre-set threshold value.

Accordingly, in one aspect of claim 5, after calculating a similarity value for each contents item using corresponding preparation information from the first category, if the number of contents items with similarity values exceeding a threshold is not less than a pre-set number, the contents selection information preparation means calculates variations from one category to another among the other categories.

Considering the Examiner's rejection of claim 5 in Section 3 of the Office Action as applied to amended claim 5, it does not appear that the arguments presented by the Examiner in rejecting claim 5 over Logan in Section 3 of the Office Action address calculating variations from one category to another after calculating similarity values using a first category as called for in claim 5. The Examiner's arguments appear to address using levels, but it does not appear

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that the Examiner has explained how Logan shows the sequence of calculations and conditions called for in claim 5.

Accordingly, it does not appear that the Examiner has established how Logan, as referenced by the Examiner in rejecting claim 5, shows or suggests at least these aspects of amended claim 5, and so it is submitted that the Examiner has not established how Logan shows or suggests amended claim 5 as a whole. Claim 17 depends from claim 5, and it is also submitted that the Examiner has not established how Logan shows or suggests claim 17 through its dependence on claim 5.

Based upon the foregoing, it is submitted that claims 1-2, 4-5, 8-10, and 12 are not anticipated by nor rendered obvious by the teachings of Logan, as presented and referenced by the Examiner. Accordingly, it is submitted that the Examiner's rejection of claims 1-2, 4-5, 8-10, and 12 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 3 and 11

In Section 4 of the Office Action, the Examiner has rejected claims 3 and 11 under 35 U.S.C. §103(a) as being unpatentable over Logan in view of Hedin et al. (U.S. Patent 6,185,535; hereinafter referred to as "Hedin"). This rejection is respectfully traversed below.

Claims 3 and 11 depend from claims 1 and 10, respectively. As discussed above, it is submitted that the rejection to claims 1 and 10 have been overcome. Furthermore, it does not appear that the arguments presented by the Examiner in Section 4 of the Office Action apply to or would overcome the remarks in the above discussion with respect to claims 1 and 10.

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Therefore, it is respectfully submitted that the rejection to claims 3 and 11 has also been overcome through the dependence of claims 3 and 11 on claims 1 and 10, respectively.

Based upon the foregoing, it is submitted that claims 3 and 11 are not anticipated by nor rendered obvious by the teachings of Logan and Hedin, as presented and referenced by the Examiner. Accordingly, it is submitted that the Examiner's rejection of claims 3 and 11 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 6

In Section 5 of the Office Action, the Examiner has rejected claim 6 under 35 U.S.C. §103(a) as being unpatentable over Logan in view of Ladd et al. (U.S. Patent 6,493,671; hereinafter referred to as "Ladd"). This rejection is respectfully traversed below.

Claim 6 depends from claim 1. As discussed above, it is submitted that the rejection to claim 1 has been overcome. Furthermore, it does not appear that the arguments presented by the Examiner in Section 5 of the Office Action apply to or would overcome the remarks in the above discussion with respect to claim 1. Therefore, it is respectfully submitted that the rejection to claim 6 has also been overcome through the dependence of claim 6 on claim 1.

Based upon the foregoing, it is submitted that claim 6 is not anticipated by nor rendered obvious by the teachings of Logan and Ladd, as presented and referenced by the Examiner. Accordingly, it is submitted that the Examiner's rejection of claim 6 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

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§103 Rejection of Claim 7

In Section 6 of the Office Action, the Examiner has rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Logan in view of Hedin and further in view of Ladd. This rejection is respectfully traversed below.

Claim 7 depends from claim 1. As discussed above, it is submitted that the rejection to claim 1 has been overcome. Furthermore, it does not appear that the arguments presented by the Examiner in Section 6 of the Office Action apply to or would overcome the remarks in the above discussion with respect to claim 1. Therefore, it is respectfully submitted that the rejection to claim 6 has also been overcome through the dependence of claim 7 on claim 1.

Based upon the foregoing, it is submitted that claim 7 is not anticipated by nor rendered obvious by the teachings of Logan, Hedin, and Ladd, as presented and referenced by the Examiner. Accordingly, it is submitted that the Examiner's rejection of claim 7 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-22 is respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are

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made simply for clarification and to round out the scope of protection to which Applicants are

entitled.

In the event that additional cooperation in this case may be helpful to complete its

prosecution, the Examiner is cordially invited to contact Applicants' representative at the

telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any

overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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